

MICHAEL R. SHERWOOD, CA Bar No. 63702  
 GREGORY C. LOARIE, CA Bar No. 215859  
 Earthjustice  
 426 17th Street, 5th Floor  
 Oakland, CA 94612  
 (510) 550-6725

PATRICK GALLAGHER, CA Bar No. 146105  
 Sierra Club Environmental Law Program  
 85 2nd Street, 4th Floor  
 San Francisco, CA 94109-3441  
 (415) 977-5709

ERIC E. HUBER, CO Bar No. 700024, *Pro Hac Vice*  
 Sierra Club Environmental Law Program  
 2260 Baseline Road, Suite 105  
 Boulder, CO 80302  
 (303) 449-5595

DAVID B. EDELSON, CA Bar No. 104390  
 840 Grizzly Peak Boulevard  
 Berkeley, CA 94708  
 (510) 527-4116

*Counsel for Plaintiffs*  
*Sierra Forest Legacy, et al.*

IN THE UNITED STATES DISTRICT COURT  
 FOR THE EASTERN DISTRICT OF CALIFORNIA  
 SACRAMENTO DIVISION

SIERRA FOREST LEGACY, <sup>1</sup> <i>et al.</i> ,	)	Case No: CIV-S-05-00205 MCE/GGH
	)	
Plaintiffs,	)	Related Cases: CIV-S-05-00211 MCE/GGH
	)	CIV-S-05-00905 MCE/GGH
v.	)	CIV-S-05-00953 MCE/GGH
	)	
MARK REY, in his official capacity as Under	)	STIPULATION AND JOINT REQUEST
Secretary of Agriculture, <i>et al.</i> ,	)	REGARDING BRIEFING SCHEDULE
	)	FOR PLAINTIFFS' MOTION FOR
Federal Defendants,	)	PRELIMINARY INJUNCTION, AND FOR
	)	ORDER SETTING HEARING ON
and	)	SHORTENED TIME
	)	
TUOLUMNE COUNTY ALLIANCE FOR	)	ORDER
RESOURCES & ENVIRONMENT, <i>et al.</i> ;	)	
CALIFORNIA SKI INDUSTRY ASS'N; QUINCY	)	
LIBRARY GROUP, <i>et al.</i> ; and CALIFORNIA	)	
CATTLEMEN'S ASS'N,	)	Date: June 8, 2007
	)	Time: 9:00 a.m.
Defendant-Intervenors.	)	Judge: Hon. Morrison C. England, Jr.

<sup>1</sup> On March 1, 2007, lead plaintiff Sierra Nevada Forest Protection Campaign changed its name to Sierra Forest Legacy.

1 WHEREAS on May 17, 2007, Federal Defendants Mark Rey, *et al.* notified Plaintiffs Sierra  
2 Forest Legacy, *et al.* that the Forest Service intends to award logging contracts for the Wolf Ranch  
3 portion of the Freeman Project in Plumas National Forest as early as June 18, 2007, and that on-the-  
4 ground operations could begin as soon as the day after the contract is awarded, *i.e.*, as soon as June  
5 19, 2007, and, in addition, that the Forest Service intends to advertise the other two portions of the  
6 Freeman Project – Summit Bear and Jenkins – the week of May 21, 2007; and

7 WHEREAS the Freeman Project implements in part the Quincy Library Group Pilot Project  
8 and is issued pursuant to the 2004 Framework challenged in this litigation; and

9 WHEREAS Plaintiffs intend to file a motion for a preliminary injunction to prevent Federal  
10 Defendants from awarding contracts for the Freeman Project or otherwise commencing on-the-  
11 ground operations, together with a motion for an order shortening time so that the motion for a  
12 preliminary injunction can be heard by the Court before June 18, 2007; and

13 WHEREAS Federal Defendants will oppose Plaintiffs' motion for a preliminary injunction  
14 but do not oppose the motion for an order shortening time,

15 NOW THEREFORE, in order to resolve Plaintiffs' motion for a preliminary injunction  
16 regarding the Freeman Project, the parties stipulate as follows:

17 May 22, 2007: Plaintiffs file their motion, together with supporting papers.

18 May 30, 2007: Federal Defendants file their opposition to plaintiffs' motion.

19 May 31, 2007: Defendant-Intervenors file their oppositions to plaintiffs' motion, no  
20 (12:00 noon PDT) later than 12:00 noon Pacific Daylight Time. Defendant-Intervenors  
21 shall coordinate to the maximum extent possible to minimize  
22 duplicate briefing.

23 June 5, 2007: Plaintiffs file their reply, if any.

24 The parties further stipulate that the Court may hear Plaintiffs' motion for a preliminary  
25 injunction on shortened time, and respectfully request a hearing date of June 8, 2007 at 9:00 a.m.  
26 which they are informed by the Clerk of the Court is available.

27 ///

28 ///

///

Respectfully submitted,

DATED: May 22, 2007

/s/ Michael R. Sherwood  
MICHAEL R. SHERWOOD  
GREGORY C. LOARIE  
Earthjustice  
426 17th Street, 5th Floor  
Oakland, CA 94612  
Tel. (510) 550-6725  
Fax (510) 550-6749

PATRICK GALLAGHER  
Sierra Club Environmental Law Program  
85 2nd Street, 4th Floor  
San Francisco, CA 94109-3441  
(415) 977-5709

ERIC E. HUBER, *Pro Hac Vice*  
Sierra Club Environmental Law Program  
2260 Baseline Road, Suite 105  
Boulder, CO 80302  
(303) 449-5595

DAVID B. EDELSON  
840 Grizzly Peak Boulevard  
Berkeley, CA 94708  
(510) 527-4116

*Counsel for Plaintiffs Sierra Forest Legacy, et al.*

MATTHEW J. McKEOWN  
Acting Assistant Attorney General  
Environmental & Natural Resources Division  
WELLS D. BURGESS  
Special Counsel  
CYNTHIA HUBER  
Acting Assistant Chief  
BRIAN C. TOTH  
RACHEL A. DOUGAN  
Trial Attorneys  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 663  
Washington, DC 20044-0663  
Tel. (202) 305-0639  
Fax (202) 305-0506

/s/ Barclay Samford (authorized 5/22/07)  
BARCLAY SAMFORD  
Trial Attorney  
Natural Resources Section  
Environment & Natural Resources Division  
U.S. Department of Justice

1 1961 Stout Street, 8<sup>th</sup> Floor  
2 Denver, CO 80294  
3 Tel.: (303) 844-1475  
4 Fax: (303) 844-1350

5 MCGREGOR W. SCOTT  
6 United States Attorney  
7 DAVID T. SHELEDY  
8 Assistant United States Attorney  
9 501 I Street, Suite 10-100  
10 Sacramento, CA 95814  
11 Tel.: (916) 554-2702  
12 Fax: (916) 554-2900

13 *Counsel for Federal Defendants Mark Rey, et al.*

14 STEVEN P. RICE  
15 Crowell & Moring LLP  
16 3 Park Plaza, 20th Floor  
17 Irvine, CA 92614-8505  
18 Tel. (949) 263-8505  
19 Fax (949) 263-8414  
20 srice@crowell.com

21 J. MICHAEL KLISE, *Pro Hac Vice*  
22 STEVEN P. QUARLES

23 /s/ Thomas R. Lundquist (authorized 5/22/07)  
24 THOMAS R. LUNDQUIST, *Pro Hac Vice*  
25 Crowell & Moring LLP  
26 1001 Pennsylvania Ave., NW  
27 Washington, DC 20004-2595  
28 Tel. (202) 624-2629  
Fax (202) 628-5116

*Counsel for Defendant-Intervenors  
Tuolumne County Alliance for Resources &  
Environment, et al.*

/s/ Michael B. Jackson (authorized 5/22/07)  
MICHAEL B. JACKSON  
429 West Main St.  
P.O. Box 207  
Quincy, CA 95971  
Tel. (530) 283-1007

*Counsel for Defendant-Intervenors  
Quincy Library Group, et al.*

/s/ Brian A. Kelly (authorized 5/22/07)

BRIAN A. KELLY  
ADAM STRACHAN  
Duane Morris LLP  
Four Embarcadero Center, Suite 300  
San Francisco, CA 94111  
Tel. (415) 981-5550  
Fax (415) 955-2599  
JOHN E. FAGAN  
Duane Morris LLP  
850 North Lake Blvd., Suite 15  
P.O. Box 7199  
Tahoe City, CA 96145-7199  
Tel. (530) 583-7767  
Fax (530) 581-3215

*Counsel for Defendant-Intervenor  
California Ski Industry Association*


/s/ William J. Thomas (authorized 5/22/07)

WILLIAM J. THOMAS  
Law Offices of William J. Thomas  
1201 K. Street, Suite 1100  
Sacramento, CA 95814-3938  
Tel. (916) 442-1111  
Fax (916) 448-1709

*Counsel for Defendant-Intervenor  
California Cattlemen's Association*

**APPROVED AND SO ORDERED.** Hearing on Plaintiffs' motion for preliminary injunction shall be Friday, June 8, 2007 at 9:00 a.m.

DATED: May 25, 2007

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE